

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF ADMINISTRATION

In the Matter of the Appeal of the
Determination of the Responsible
Authority for the Douglas County Social
Services Department that Certain Data
About Laura M. Kluver are Accurate
and/or Complete

**RECOMMENDATION
FOR DISMISSAL**

The above-entitled matter is before Administrative Law Judge Steve M. Mihalchick pursuant to a Notice of and Order for Hearing issued by the Commissioner of Administration on November 19, 1998, setting the hearing in this matter for January 21 and 22, 1999. On January 15, 1999, Ms. Kluver filed a letter confirming a telephone conversation between herself and Michael Lewis of the Office of Administrative Hearings stating that she wished to withdraw her appeal and cancel the hearing. She stated that she had been unable to find an attorney willing to take the case, did not have the funds to pursue the matter any further, and did not know how to continue without representation.

While many people appear at administrative hearings without the assistance of an attorney, the choice to withdraw her appeal is solely Ms. Kluver's. As her letter outlines, she is aware of the consequences.

NOW, THEREFORE, the Administrative Law Judge makes the following:

RECOMMENDATION

IT IS RESPECTFULLY RECOMMENDED: that the Commissioner of Administration DISMISS the appeal of Laura M. Kluver in this matter.

Dated this 19th day of January 1999.

STEVE M. MIHALCHICK
Administrative Law Judge

NOTICE

This Report is a recommendation, not a final decision. The Commissioner of Administration will make the final decision after a review of the record. The Commissioner may adopt, reject or modify the Findings of Fact, Conclusions, and Recommendations. Under Minn. Stat. § 14.61, the final decision of the Commissioner shall not be made until this Report has been made available to the parties to the proceeding for at least ten days. An opportunity must be afforded to each party adversely affected by this Report to file exceptions and present argument to the Commissioner. Parties should contact Scott Simmons, Acting Commissioner, 50 Sherburne Avenue, St. Paul, Minnesota 55155, to ascertain the procedure for filing exceptions or presenting argument.